THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) The investigation in this case has been completed and the matter put to Court for trial.

(b) and (c) The process of refunding money to the persons who were cheated by the company is in progress and so far 1870 persons have been refunded their money.

(d) and (e) The information in being collected and will be laid on the table of the House.

Rejection of petition filed to lift the ban on religious activities

4832. SHRI MANOJ BHATTACHARYA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the Hon'ble Supreme Court has rejected the petition filed by the Central Government to lift the ban on religious activities either on the disputed land or on nearabout the undisputed land in the Babri Masjid site till the adjudication of the title suits of the Allahabad High Court;

(b) if so, the details thereof and Government's reaction thereto; and

(c) the further course of action to be pursued in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI) : (a) to (c) The Supreme Court in its Judgement in the Writ Petition No. 160 (Civil) of 2002 - Mohd. Aslam @ Bhure Vs. Union of India and others delivered on 31.3.2003, has held that its earlier order of 13.3.2002 as modified on 14.3.2002 will continue to be operative until disposal of the title suits in the Special Full Bench of the Allahabad High Court at Lucknow. In terms of the Judgement, the Central Government as a statutory receiver is bound to maintain status quo in the acquired area at Ram Janma Bhoomi Babri Masjid Complex at Ayodhya.

Detention of minor boys under pota

4833. SHRI S.S. AHLUWALIA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that a large number of minor boys in the State of Jharkhand have been detained under the provisions of the POTA;

(b) the number of the POTA detainees in Jharkhand showing details namely, district-wise and age group-wise break ups and period of detention of each detainee till 31st March, 2003;

(c) the number of instances prosecution has commenced in the Court; and

(d) the number of instances detainees have been released without trial-age, period of detention and reason for release in each case?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) to (d) Since law and order is a State subject, implementation of POTA, 2002 is primarily the responsibility of the State Governments/UT Administrations. The details of cases registered, persons arrested, charge-sheets filed, cases withdrawn etc. under the POTA, 2002 in various States/UTs of the country are not centrally maintained in this Ministry.

Cases against journalist

4834. SHRI NILOTPAL BASU : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that Government pursued its case against Kashmir Times Bureau Chief in New Delhi, Iftikhar Gilani despite the DGMI informing the Home Ministry that files found on the journalist's computer were "neither secrets nor a threat to national security";

(b) if so, the details thereof and reasons therefor;

(c) whether any responsibility has been fixed for this; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) to (d) DGMI's second opinion dated 12.12.2002 was examined by the Central Government in consultation with concerned agencies including the Ministry of Law and found that this opinion was not relevant and tenable because the contents of the documents being the same were pre-judicial to the safety and security of the country and the question of public domain had already been examined before according sanction for prosecution.

However, the Central Government decided to withdraw the case on administrative grounds and in the public interest.

Promotion as per recommendations of Fifth Pay Commission

4835. DR. M.N. DAS : Will the Minister of HOME AFFAIRS be pleased to refer to the reply to Unstarred Question 2130 given in the Rajya Sabha on 11th December, 2002 and state:

(a) whether the process to fill up the 20 posts of DD (OL) upgraded as per recommendations of the Fifth Pay Commission has been completed; and

(b) if so, the details thereof and if not, the reasons for which the persons against upgraded posts are not being promoted and by when the persons are likely to be promoted?